

EXHIBIT N

From: Kelly Talcott [<mailto:kelly@kdtalcott.com>]
Sent: Thursday, March 13, 2014 2:15 PM
To: Ted Max; Ken Anderson
Subject: Defendants' Responses to TufAmerica Requests to Admit

Dear Ted,

As you may recall, defendants Diamond, Horovitz, Yauch, and Brooklyn Dust Music objected to each of TufAmerica's requests to admit on the grounds that the requests were "ambiguous and/or unintelligible as to what [Trouble Funk] recording" the requests were referring to. The requests defined two Trouble Funk recordings by title: "Say What" and "Let's Get Small."

In a call held on November 12, 2013, you indicated to me that the basis for these objections was that the defined terms "Say What" and "Let's Get Small" were not specific enough as to source to permit your clients to respond. While I take issue with that objection, given that your clients must have some knowledge of the titles of the recordings that they used when constructing their songs, in the spirit of compromise here are supplemental definitions for those titles:

2. "Say What" means the recording of that title performed by the musical group Trouble Funk, as it appears on any of the following: DETT LP 1002 (album); DETT 12 1002 (single).
3. "Let's Get Small" means the recording of that title performed by the musical group Trouble Funk as it appears on any of the following: DETT 12 501 (single); 4th & Broadway 12 80 (single).

Please advise soonest whether this amendment fully addresses the objections to those titles as expressed in defendants' responses to TufAmerica's requests to admit.

I have attached an amended version of the Requests to Admit that incorporate these accommodations. This is not a re-service of these, but is provided as a courtesy. Please advise when I can expect a set of revised responses to these requests.

Best regards,

Kelly

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TUFAMERICA, INC.,

Plaintiff,

12 cv 3529 (AJN)

v.

**MICHAEL DIAMOND, ADAM HOROVITZ,
and ADAM YAUCH, p/k/a BEASTIE BOYS,
UNIVERSAL MUSIC PUBLISHING, INC.,
UNIVERSAL MUSIC PUBLISHING GROUP,
BROOKLYN DUST MUSIC, and CAPITOL
RECORDS, LLC,**

Defendants.

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TUFAMERICA'S FIRST REQUESTS FOR ADMISSION (AMENDED)

Plaintiff TufAmerica, Inc. hereby directs the following requests for admission to defendants pursuant to rules 26 and 36 of the Federal Rules of Civil Procedure.

DEFINITIONS

1. The definitions set forth in Local Civil Rule 26.3 are incorporated herein by reference.
2. "Say What" means the recording of that title performed by the musical group Trouble Funk, as it appears on any of the following: DETT LP 1002 (album); DETT 12 1002 (single).
3. "Let's Get Small" means the recording of that title performed by the musical group Trouble Funk as it appears on any of the following: DETT 12 501 (single); 4th & Broadway 12 80 (single).
4. "Shadrach" means any recording bearing that title performed by the musical group Beastie Boys.

5. “Hold It Now Hit It” means any recording bearing that title performed by the musical group Beastie Boys.

6. “You” means any defendant responding to these Requests for Admission.

ADMISSIONS

1. Admit that a portion of “Say What” is incorporated as part of “Shadrach.”
2. Admit that a portion of “Let’s Get Small” is incorporated as part of “Hold It Now Hit It.”
3. Admit that You have no license to use any part of “Say What” in “Shadrach.”
4. Admit that You have no license to use any part of “Let’s Get Small” in “Hold It Now Hit It.”

October 4, 2013

/s/
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Attorney for Plaintiff
TufAmerica, Inc.

CERTIFICATE OF SERVICE

Kelly D. Talcott hereby affirms under penalties of perjury that on October 4, 2013, he caused to be served the attached TUFAMERICA'S FIRST REQUESTS FOR ADMISSION by delivering a copy thereof by electronic mail to counsel for defendant at the electronic mail addresses they have designated for that purpose, as follows:

Theodore C. Max TMax@sheppardmullin.com
Carletta F. Higginson CHigginson@jenner.com

/s/
Kelly D. Talcott